

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/18/10 has been entered.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Neff** et. al. (US 2004/0233054) in view of **Ekstrom** (US 7,333,015).

**Re claim 1**, Neff discloses a device for registering an opening of a closure (door) of spaces (container or cargo) to be secured comprising:

a sealing module (21) having a sensor (22) ([0019]-[0022], a first microprocessor (48), a first memory (tag memory), and a wireless communication device (RFID tag 54), and the sealing module attachable to the closure in such a way that the sensor detects a movement of the closure ([0020]) and outputs movement data, the movement data being written data into the first memory ([0020]); and

a detection unit (readers: mobile devices, laptops, desktop, fixed devices 30) having at least one wireless communication device (RF transceiver,[0016]) for communicating with the sealing module, a second microprocessor (controller of reader), and a second memory (memory of the reader), the second processor reading out at least the movement data (fault signal data) documenting the movement of the closure from the first memory and writing the movement data into the second memory for later review on a display as seen in [0030]; see figures 1-4; [0016] to [0030].

Neff fails to disclose a WLAN interface disposed in the detection unit (reader 30) for sending and receiving data including the content by WLAN (wireless local area network) technology to and from at least one of a database and a central computer by WLAN technology.

Ekstrom in same field of cargo or container security monitoring teaches a system comprising a monitoring device (12) attached to a cargo/container 10, the device 12 communicates door breached data to a plurality of readers (16) including handheld 16A, mobile 16B and fixed devices 16C at port and the readers communicates via network 13 including WLAN using a WLAN interface to a server 15 (database for storing door events, security breach data and others) and software backbone (17) at a central computer for performing surveillance services including tracking and securing containers via server 15, readers 16, and devices 12; this provide a two way communication of data between the readers and the database/central computer as seen in figure 1; col. 5, lines 49 to col. 6, lines 54.

In view of Ekstrom teaching regarding the readers using a WLAN interface for communicating a plurality of data including the contents of the monitoring devices to and from

at least one of data base (server 15) and a central computer (with backbone software 17) by WLAN technology so that the database and the central computer provide surveillance services in grand scale to many containers, thus, it would have been obvious to one of ordinary skilled in the art to implement such WLAN interface in the readers of Neff for communicating data from and to at least one database and a central computer so that the overall system is expanded to permit the database and central computer to perform surveillance services including tracking and securing containers in grand scale as taught Ekstrom.

Re claim 2, Neff discloses the wireless communication devices are effective at close range (up to 300 feet) and the detection unit is mobile (mobile/handheld devices 31) as seen in figure 1; [0017].

Re claim 3, Neff discloses the wireless communication devices are RFID components (RFID tag 54) as seen in Figure 2.

Re claim 4, Neff disclose the detection unit (reader 30) is stationary (fixed devices 34) as seen in figure 1; [0030].

Re claim 5, Neff fails to disclose the sealing module is embodied in the form of an ID01-format card. Since Neff discloses the sealing module containing RFID tag that is well known in the art for identification and authenticating purposes when it is attached to an object in a thin-profile shape or card-shaped, and the RFID tag contains an identification number or code programmed by an RFID reader unique to the tag, it would have been obvious to one of ordinary skilled in the art to realize that the sealing module (21) containing the RFID tag of Neff to be

embodied in the form of an ID01-format card or other known format as a matter of programming/protocol predefined by the cooperating reader.

Re claim 6, Neff discloses the sealing module (21) is integrated into the closure as seen in [0021].

Re claim 7, Neff discloses the sealing module (21) is integrated into a closing element (wall of container) that secures the closure as seen in [0021].

Re claim 8, Neff disclose an encrypted communication is provided between the sealing module (1) and the detection unit (11) as seen in [0028] and [0029].

Re claim 11, Neff disclose the sensor (6) is a magnetic sensor (magnetic switch) as seen in [0017].

Re claim 12, Neff disclose the data that document a movement are provided with a timestamp as seen in [0020] to [0022].

Re claim 13, Neff discloses the detection unit (30) is configured to write data regarding the respective location of use into the memory of the sealing module and read out said data from the memory as seen in [0030].

Re claim 14, Neff discloses the detection unit (computers 32-33) has a computer program that displays the stored data regarding closures of a secured object on a screen and, with the aid of a menu, predefines a sequential check of the associated sealing modules, correspondingly displaying on the screen of a computer the respective sealing modules being checked as seen in [0030].

Re claim 15, Neff discloses the detection unit (30) includes means for connecting to a database (computer at user end), which stores all sealing and unscaling actions as well as all information regarding the opening of sealed closures as seen in [0030].

**Re claim 16,** Neff and Stiff combinedly disclose a method for registering an opening of a closure, comprising the sequential steps of:

sensing the opening and outputting opening data of the opening by a sensor disposed in a sealing module attached to the closure;

writing the opening data into a first memory disposed in the sealing module;

reading out a content of the first memory via a wireless communication device stored in a detection unit,

writing the content into a second memory disposed in the detection unit;

displaying the content on a display of the detection unit; and

sending and receiving data including the content by WLAN (wireless local area network) technology to and from at least one of a database and a central computer via a WLAN interface disposed in the detection unit as seen in claim 1 for explanation and [0030].

Re claim 17, Neff disclose providing the wireless communication occurs by means of a RFID method as seen in figure 2; [0019].

Re claim 18, Neff disclose that after a sealing module is attached to the closure, activating the sealing module by means of a wireless communication from the detection unit as seen in [0030].

Re claim 19, Neff disclose further associating the signal of the sensor with a timestamp in the memory as seen in [0020] to [0022].

Re claim 20, Neff discloses predetermining (preprogramming) with a program (application programs) provided in the detection unit an attachment, an activation, and a reading out from the memory of a plurality of sealing modules as seen in [0028] to [0030].

Re claim 21, Neff discloses transmitting the contents of the memories of the sealing modules into a database (memories of the readers including desktop, laptops, mobile devices as seen in figure 1).

Re claim 22, Neff and Ekstrom fail to disclose the closure includes an aircraft. However, one of ordinary skilled in the art would realize that an aircraft is just another type of closure or container for storing and transporting goods and people in general, thus, it would have been obvious to one of ordinary skilled in the art to equally implement such monitoring system into an aircraft or plurality aircrafts as well.

Re claim 23, refers to claim 22 for explanation.

2. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neff et. al. in view of **Maple** et al. (US 2004/0263332).

Re claim 9, Neff fails to disclose the sealing module (21) has an optical display unit for indicating the current status.

Maple in same field of endeavor teaches a door seal having optical display (LEDs, digital display 22, 24) for indicating the current status of the door or closure so that a user can readily confirm the sealed status as seen in figure 1-2; [0038] and [0039].

In view of Maple teaching regarding the optical display (LEDs or digital display) on the seal for indicating the current status of the seal to a user, it would have been obvious to one of ordinary skilled in the art to provide the optical display as taught by Maple and incorporate it into the sealing module of Neff such that the current status of the seal is easily and conveniently indicated to a user of the seal.

***Response to Arguments***

3. Applicant's arguments with respect to amended claims 1, 9, 14, 16 have been considered but are moot in view of the new ground(s) of rejection. Please refer to the above rejection for explanation.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cervinka et al. (US 7053823); Linjama et al. (US 7145454); Fallin et al. (US 7113093); Stilp (US 7057512).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM P. PHAM whose telephone number is (571)272-2977. The examiner can normally be reached on 10AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BENJAMIN C. LEE can be reached on 571-272-2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 6, 2010

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